OFFICER MISCONDUCT

Monitoring, Separations, and

Officer Misconduct

- Monitoring - JA monitors Command's disciplinary process through the Officer Discipline Notebook (ODN)
- Separations - JA prepares show cause packages
- Promotions - JA prepares adverse information screens and promotion packages

MONITORING

The ODN

- LEGADMINMAN requires a report to JA of alleged officer misconduct when:
  - The officer is in the grade of O-6 or above;
  - The officer is a Convening Authority;
  - The incident may generate media attention; or
  - The allegation is supported by credible evidence and:
    - NJP would be appropriate; or
    - CMC should know about the incident.
  - The allegation is under investigation by NCIS, CID, or preliminary inquiry (R.C.M. 303)

Monthly Updates

- JA updates the ODN data base at the end of each month based on input from field SJAs.
- JA prepares CMC’s ODN.

SEPARATIONS

SHOW CAUSE DECISION

- Following the completion of the disciplinary action, JA prepares a comprehensive show cause information paper for DC/S M&RA via Dir PMD.
  - Summarizes the misconduct;
  - Sets forth the command recommendation;
  - Sets forth all possible show cause options; and
  - Makes a recommendation.

SHOW CAUSE OPTIONS

- Board of Inquiry (BOI)
- Adsep via Notification Procedure
- Close the Case

If BOI Convened . . .

- Command conducts the hearing and forwards a report of the BOI to JA
- JA reviews and forwards the report to DC/S M&RA with appropriate actions:
  - If BOI recommends separation, DC/S M&RA forwards to SecNav
  - If BOI recommends retention, DC/S M&RA closes the case

Adsep via Notification

- DC/S M&RA notifies the officer that he intends to recommend that SecNav separate the officer
- The command forwards the officer's response to JA
- JA reviews and prepares DC/S M&RA's recommendation to SecNav
- DC/S M&RA forwards to SecNAV

PROMOTIONS

Promotion Screens

- JA screens the selection board report against the ODN historical list
- IG screens the selection board report against the IG historical list
- MMPR screens the selection board report against NCIS files
- JA collects all the information and prepares an information paper and recommendation for CMC via Dir PMD and DC/S M&RA

CMC Promotion Screen Options

- Withhold Senate Nomination - substantiated misconduct
- Support and Report - substantiated misconduct but promotion is supported
- Not Adverse - unsubstantiated misconduct, or misconduct that falls into a category that SecNav delegated dispositon authority to CMC
  - Note: CMC only forwards “withhold” and “support and report” recommendations to SecNav with the Board Report

Promotion List

- SecNav forwards the names of all the officers selected to DoD for approval as a promotion list
  - If SecNav concurs with “support and report” recommendation, the officer is considered qualified for promotion and DoD forwards nomination to the White House and Senate along with all the officers who did not have adverse information
  - If SecNav concurs with the “withhold” recommendation, DoD does not forward the officer’s nomination to the White House and Senate

Promotion Actions

- After approval of the promotion list by DoD:
  - SecNav publishes the ALNAV with the names of the qualified officers
  - JA prepares “notice and comment letter” for each officer withheld from Senate confirmation
  - JA forwards the letter to Dir PMD for signature
  - After signature, JA forwards the letter and adverse information to the officer

Promotion Actions

- JA receives the officer's response and prepares a promotion package
- The promotion package is routed to CMC via Dir PMD, DC/S M&RA & ACMC
- CMC recommends that SecNav either promote or remove the officer's name from the promotion list

Promotion/Removal

- If CMC recommends promote and SecNav concurs, the officer’s nomination is forwarded to the Senate via DoD and White House for confirmation

Promotion/Removal

- If CMC recommends removal and SecNav concurs:
  - SecNav removes the officer's name from the promotion list if the officer was selected by an active duty promotion board
  - SecNav forwards a recommendation to remove to the President via DoD if the officer was selected by a Reserve promotion board
  - Removal equals a pass for promotion